

RCE  
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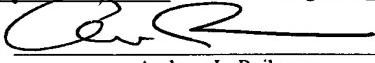
U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL FORM (37 C.F.R. § 1.114)

DOCKET NO. 12406/102	APPLICATION SERIAL NO. 09/828,643	EXAMINER William H. MCCULLOCH, JR.	ART UNIT 3714
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INVENTOR: Brian J. ROBERTS

Address to:  
**Mail Stop RCE**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on  
Date: Jan. 3 2007 Reg. No. 47,893  
Signature:   
Andrew L. Reibman

This is a **Request for Continued Examination** under 37 C.F.R. § 1.114 (RCE) of pending application Serial No. 09/828,643, filed on April 6, 2001, entitled **GAMING SYSTEM AND METHOD**.

The following constitute the submission required by 37 C.F.R. § 1.114(a) and is attached:

- Amendment  
 Information Disclosure Statement and Form PTO-1449  
 Drawing Changes  
 Other Submission: \_\_\_\_\_

1. The filing fee for this RCE and the required amendment/submission is calculated below. The fee below is calculated based on the status of the claims after the entry of the attached amendment/submission. The fee for any new additional claims is included with this RCE, the fee for previously entered additional claims having already been paid.

	CLAIMS REMAINING AFTER AMENDMENT	MINUS	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT NUMBER EXTRA*	RATE (\$) PER CLAIM	FEE (\$)
BASIC FEE						790.00
TOTAL CLAIMS	30	-	25	5	50.00	250.00
INDEPENDENT CLAIMS	6	-	9	0	200.00	0.00
MULTIPLE DEPENDENT CLAIM					360.00	
01/09/2007 MWOLGE1 00000019 110600 09828643 03 FC:1252 450.00 DA				*Number extra must be zero or larger	TOTAL	1040.00
	If Applicant is a small entity under 37 C.F.R. §§ 1.9 and 1.27, then divide total fee by 2, and enter amount here.			SMALL ENTITY TOTAL		

2. Please charge the required RCE and submission filing fee of \$1040.00 to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.

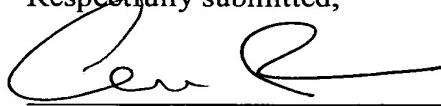
01/09/2007 MWOLGE1 00000019 110600 09828643

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NY01 1292264 v1

3. Applicant respectfully request a **two-month** extension of time in which to respond to the Office Action mailed August 2, 2006 for which a three-month response period, expiring on November 2, 2006, was set. The two-month extended period for response expires on January 3, 2007 (January 2, 2007 being a Federal Holiday). Please charge the 37 C.F.R. § 1.136(a) **two-month extension fee of \$450.00**, and any additional fees that may be required, to **Deposit Account No. 11-0600**.
4. The Commissioner is hereby authorized to charge payment of the fees, including any additional fees required, associated with this communication or arising during the pendency of this application, or to credit any overpayment, to the deposit account of **Kenyon & Kenyon LLP**, deposit account number **11-0600**.
5. A duplicate copy of this transmittal form is enclosed.

Dated: Jan. 3, 2007

Respectfully submitted,  
  
By: \_\_\_\_\_  
Andrew L. Reibman  
Reg. No. 47,893

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## **SPECIAL NOTES REGARDING RCE PROCEDURES**

- RCE practice is **not applicable** to provisional applications, design applications, applications filed before June 8, 1995, or during reexamination. See 37 C.F.R. § 1.114(d) below.
- This RCE form **must** be accompanied by a “submission” (e.g., an amendment). See 37 C.F.R. § 1.114(a), (b).

### **Additional Notes**

- Treat claim fee calculation as you would an amendment filed by itself.
- The applicant may not defer paying the fee for an RCE.
- An RCE is entitled to the benefit of a Certificate of Mailing under 37 C.F.R. § 1.8.
- Inventorship carries/continues. Any change must be via 37 C.F.R. § 1.48.
- Small entity status carries/continues.

### **37 C.F.R. § 1.114(d)**

“(d) The provisions of this section **do not apply** in any application in which the Office has not mailed at least one of an Office Action under 35 U.S.C. 132 or a notice of allowance under 35 U.S.C. 151. The provisions of this section also **do not apply** to:

- (1) A provisional application;
- (2) An application for a utility or plant patent filed under 35 U.S.C. 111(a) before June 8, 1995;
- (3) An international application filed under 35 U.S.C. 363 before June 8, 1995;
- (4) An application for a design patent; or
- (5) A patent under reexamination.”

Interim Rule, 65 Fed. Reg. 14865, 14872-73 (March 20, 2000).